



CITY OF MIAMI SPRINGS, FLORIDA

Mayor Xavier M. Garcia

**Vice Mayor Jennifer Ator
Councilwoman Grace Bain**

**Councilman Bob Best
Councilman George V. Lob**

Decorum: “Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the City Council, shall be barred from further audience before the City Council by the Mayor, unless permission to continue or again address the City Council is granted by the majority vote of the City Council members present. In accordance with the foregoing, the City Council has determined that racial or ethnic slurs, personal attacks and comments unrelated to City matters or issues constitute prohibited comments from the podium”.

**AGENDA
REGULAR MEETING
Monday, December 10, 2012 – 7:00 p.m.
Council Chambers – City Hall
201 Westward Drive – Miami Springs**

1. Call to Order/Roll Call

2. Invocation: Councilman Lob

Salute to the Flag: Students from Miami Springs Elementary will lead the audience in the Pledge of Allegiance and Salute to the Flag

3. Awards & Presentations:

A) Yard of the Month Award – December 2012 – Clifford and Merilynn Kleinhample – 190 Shadow Way

B) Certificate of Sincere Appreciation to Gene Duffy as a Former Member of the Police and Firefighters Retirement System Board

3. Awards & Presentations: (Continued)

C) Presentation by Bryan Reardon of Energy Systems Group

4. Open Forum: Persons wishing to speak on items of general city business, please sign the register located on the speaker's stand before the meeting begins

5. Approval of Council Minutes:

A) 11-19-2012 – Regular Meeting

B) 11-26-2012 – Special Meeting

C) 11-28-2012 – Special Meeting

6. Reports from Boards & Commissions:

A) 11-19-2012 – Revitalization and Redevelopment Ad-Hoc Committee – Cancellation Notice

B) 12-03-2012 – Zoning and Planning Board – Cancellation Notice

C) 12-03-2012 – Board of Adjustment – Cancellation Notice

D) 12-04-2012 – Code Enforcement Board – Cancellation Notice

E) 12-05-2012 – Architectural Review Board – Cancellation Notice

F) 12-11-2012 – Recreation Commission – Cancellation Notice

G) 12-13-2012 – Board of Parks and Parkways – Cancellation Notice

7. Public Hearings:

A) “Second” Second Reading – Ordinance No. 1040-2012 – An Ordinance of the City Council of the City of Miami Springs, Florida Updating the Five-Year Schedule of Capital Improvements of the City’s Comprehensive Plan as Mandated by Florida Statutes Sections 163.3177 (3) (b); Providing a Conflicts Clause and Severability Clause; Providing an Effective Date (First Reading: 10-22-2012 – Second Reading: 11-19-2012 – Advertised: 11-29-2012)

B) Second Reading - Ordinance No. 1043-2012- An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-010, Roof Materials, Requirements, and Re-roofs; By Deleting All References to the Two Year Sunset Provision Thereby Including Asphalt Shingles as an Approved Roofing Material for the City; Striking Subsection (H) of the Ordinance as Being Inappropriate and Outdated; Repealing All Ordinances or Parts of Ordinances in Conflict; Providing An Effective Date (First Reading: 11-19-2012; Advertised: 11-29-2012)

7. Public Hearings: (Continued)

- C) Second Reading – Ordinance No. 1044-2012 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-002, Definitions; by Clarifying and Updating the Definitions of Rear Yard [Subsection (C) (79)], and Side Yard [Subsection (C) (80)]; Repealing All Ordinances or Parts of Ordinances in Conflict; Providing an Effective Date (First Reading: 11-19-2012; Advertised: 11-29-2012)
- D) Second Reading – Ordinance No. 1045-2012 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-164, Northwest 36th Street; By Removing Any and All References to the Required Participation of the City Architectural Review Board in the Design Review Process Mandated by the Ordinance; Repealing All Ordinances or Parts of Ordinances in Conflict; Providing an Effective Date (First Reading: 11-19-2012; Advertised: 11-29-2012)
- E) Second Reading – Ordinance No. 1046-2012 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 32-20, Establishment and Membership; by Revising the Membership of the City’s Memorial Committee to Meet Current Participation Availability; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 11-19-2012; Advertised: 11-29-2012)
- F) Second Reading – Ordinance No. 1047-2012 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 97-05, Senior Citizen Additional Homestead Tax Exemption; by Providing a Revised Provision Authorizing Qualified Seniors to Apply for Additional Homestead Tax Exemption Benefits; Repealing All Ordinances or Parts of Ordinances in Conflict; Providing an Effective Date (First Reading: 11-28-2012; Advertised: 11-30-2012)

8. Consent Agenda:

- A) Approval of City Attorney’s Invoice for November 2012 in the Amount of \$12,204.00

9. Old Business:

- A) Appointments to Advisory Boards by the Mayor and Council Members

9. Old Business: (Continued)

- B) “Second” First Reading – Ordinance No. 1042-2012 – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-034, Installation of Central Air Conditioning and Heating Units, Pool Pumps and Equipment, and Sprinkler Pumps and Equipment; By Providing an Additional Site Location for the Placement of Such Equipment on Newly Constructed Properties and Clarifying That All Approved Locations Are Not to Be Within Required Setback Areas; Repealing All Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 11-19-2012)
- C) Review of Proposed Changes to the City’s Code of Ethics and Consideration of Incorporating a Citizens Bill of Rights (Requested by Vice Mayor Ator)

10. New Business:

- A) Consideration of Request from Susan Baan on Behalf of the Miami Springs Middle School PTA for a Contribution to the Art in the Sky Project
- B) Consideration of Request from Fred Suco to Host a New Year’s Eve Celebration with Live Music Until 1:00 a.m.
- C) Consideration of Request from the Woman’s Club to Waive Approximately \$710.10 in Permit Fees Required as Part of the Remodeling of their Kitchen and Bathroom Facility
- D) Resolution No. 2012-3567 – A Resolution of the City Council of the City of Miami Springs Authorizing the City Manager to Apply for a FY 2013 Edward Byrne Memorial Justice Assistance Grant from the Federal Drug Control and System Improvement Program, through the Office of Grants Coordination Justice Assistance Grant Administration for Miami-Dade County; Authorizing the City Manager to Execute Grant Contracts and Agreements, Execute Contracts and Agreements to Accomplish Grant Funding Purposes, Expend Funding for Established and Authorized Purposes, Receive and Expend Additional Funding that Might Become Available, Execute Amendatory Application Documentation, and to Exercise all Contractual Rights, Authorizations and Privileges Available to the City; Effective Date
- E) Ordinance No. 1048-2012 – First Reading – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 35-53, Benefit Amounts and Eligibility; by Providing Additional Provisions to Subsection (K), Deferred Retirement Option Plan (“DROP”), to Expand and Further Clarify and Explain Plan Eligibility; Repealing all Ordinances or Parts or Ordinances in Conflict; Providing an Effective Date

10. New Business: (Continued)

- F) Ordinance No. 1049-2012 – First Reading – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 35-55, Contributions; by Providing a Two Year Plan for the City to Reduce Required Police Retirement Plan Contributions; Repealing all Ordinances or Parts or Ordinances in Conflict; Providing an Effective Date

11. Other Business: None

12. Reports & Recommendations:

- A) City Attorney
- B) City Manager
- C) City Council

13. Adjourn

 If any person decides to appeal any decision of this Board with respect to any matter considered, s/he will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is made (F. S. 286.0105), all of which the City does not provide.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the City Clerk, 201 Westward Drive, Miami Springs, Florida 33166. Telephone: (305) 805-5006, no later than (7) days prior to the proceeding.

Pursuant to Sec. 2-11.1 (S) of the Miami-Dade County Code and Miami Springs Code of Ordinances Chapter 33 - §33-20, all persons, firms or corporations employed or retained by a principal who seeks to encourage the passage, defeat, or modifications of (1) ordinance, resolution, action or decision of the City Council; (2) any action, decision, recommendation of any City Board or Committee; or (3) any action, decision or recommendation of City personnel during the time period of the entire decision-making process on such action, decision or recommendation which will be heard or reviewed by the City Council, or a City Board or Committee shall register with the City before engaging in any lobbying activities on forms prepared for this purpose and shall state under oath his or her name, business address, the name and business address of each person or entity which has employed said registrant to lobby, and the specific issue on which he or she has been employed to lobby. A copy of the lobbyist registration form is available from the Office of the City Clerk.
